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8 MUHAMMAD KHAN,
9 Plaintiff,
10 v.
11 M. PAYTON, et al.,
12 Defendants.
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15 Case No. 20-cv-03086-BLF (PR)
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**ORDER DIRECTING PARTIES TO
RESPOND REGARDING
REFERRAL TO SETTLEMENT
PROCEEDINGS**

18 Plaintiff, a California inmate, filed a *pro se* civil rights complaint pursuant to 42
19 U.S.C. § 1983 against employees of San Quentin State Prison (“SQSP”). On November
20 15, 2023, Defendants filed a motion for summary judgment. Dkt. No. 72. As of the last
21 court order, discovery remains pending. Dkt. No. 91.

22 The Court has established a Pro Se Prisoner Settlement Program under which
23 certain prisoner civil rights cases may be referred to a neutral Magistrate Judge for
24 settlement. This matter has been pending for over four years and discovery matters are
25 still pending. Accordingly, the Court requests the parties to file notice whether they agree
26 or disagree to a referral to settlement proceedings to attempt to resolve this matter.

27 If the parties agree to the referral, the Court will terminate without prejudice the
28 pending summary judgment motion. In the event settlement proceedings are unsuccessful,

1 the Court will deem Defendants' summary judgment refiled after receiving notice from the
2 parties and reschedule briefing on the matter.

3 All parties shall file their response to this order by checking ONE of the two boxes
4 below, indicating their agreement or disagreement to a referral to settlement proceedings.

5 The response shall be completed and returned to the Court **no later than August 21, 2024**.

6 Until the parties agree to settlement proceedings, the current filing date for
7 Plaintiff's opposition, i.e., September 23, 2024, and Defendants' reply deadline of fourteen
8 days thereafter shall remain.

9 The Clerk shall include 2 copies of this order to Plaintiff.

10 **IT IS SO ORDERED.**

11 Dated: August 5, 2024



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BETH LABSON FREEMAN
United States District Judge

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Indicate your response to a referral to settlement proceedings below and return to
the Court by August 21, 2024:

I agree to a referral of this matter to settlement proceedings.

I disagree to a referral of this matter to settlement proceedings.

Date: _____

Name: _____

Signature